

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

THERMO FINNIGAN LLC,

Plaintiff and  
Counterclaim Defendant,

v.

APPLERA CORPORATION,

Defendant and  
Counterclaim Plaintiff.

Civil Action No. 04-1505-GMS

**STIPULATION AND ORDER  
AS TO CLAIM CHART EXCHANGE**

IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto, and subject to the approval of the Court, that the deadline for the parties to exchange claim terms and provide proposed constructions is extended from November 30, 2005, to December 8, 2005, and the deadline for the follow-up meet and confer is extended from December 8, 2005, to December 15, 2005.

The extensions are requested because the parties are currently engaged in claim construction briefing in Civil Action Nos. 04-1230-GMS and 05-110-GMS, and the parties need additional time to work together to determine which claim terms are in dispute prior to the submission of a joint claim construction chart by December 22, 2005.

These extensions will not affect any other dates in the schedule.

/s/ Kelly E. Farnan

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Dated: November 30, 2005

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and Applied Biosystems/MDS Sciex Instruments

Dated: November 30, 2005

APPROVED AND SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
U.S.D.J.